

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING AND PUBLIC HEARING

December 12, 2006

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, December 12, 2006, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
Karen Wines, Alderwoman
Richard Rantzow, Alderman
Jeff Robinson, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Johnnie White from the Church at Horseshoe Bay led the invocation. Mayor Lambert then led the pledge of allegiance to the United States Flag and the Texas Flag.
2. Comments from Mayor: Mayor Lambert stated the Lifestyle Committee has presented the Council with two ordinances that are on the agenda today concerning establishing Fire Zones and a False Alarm policy. He added the Sales Tax Committee plans to hold a Public Meeting in January. He said both committees are making progress and thanked the members for all their work.
3. Comments from Aldermen: Alderwoman Wines thanked the members of the Lifestyle and the Sales Tax committees for their work.
4. Public Comments: There were no public comments.
5. Ordinance Establishing Municipal Court: Mayor Lambert stated Alderman Babcock and Alderman Bird had worked with him and City Attorney Monte Akers on recognizing and preparing the necessary ordinances in preparation of establishing a municipal court in Horseshoe Bay. The motion was made by Alderman Rantzow to approve the ordinance to establish the municipal court. The motion was seconded by Alderwoman Wines. The motion passed by unanimous vote (4-0).
6. Ordinance Appointing Municipal Court Judge: Mayor Lambert said Alderman Babcock and he had met with several applicants for this position and after the decision was made to establish a "Court of Record" Municipal Court in Horseshoe Bay they came to the conclusion Kevin Madison was the most qualified for the position of Municipal Court Judge. He has set up municipal court in three cities. Mr. Madison reviewed his past positions and qualifications.

He added that his court will also be responsible for issuing arrest warrants, search warrants and setting bail. Alderman Babcock made the motion to appoint Mr. Madison to the position of Municipal Court Judge. The motion was seconded by Alderman Robinson. The motion passed by unanimous vote (4-0).

7. Appointment of Municipal Court Prosecutor: Mayor Lambert stated Alderman Babcock and he recommended appointing Mr. Eddie Arrendondo as Municipal Court Prosecutor. He is currently serving as Burnet County Attorney as well as the Prosecutor for Marble Falls. Alderman Rantzow made the motion to appoint Mr. Arrendondo as Municipal Court Prosecutor for the City of Horseshoe Bay. Alderman Robinson seconded the motion. The motion passed by unanimous vote (4-0).
8. Appointment of Municipal Clerks: Mayor Lambert stated two of the City's current employees will serve as Municipal Clerks. Megan Garcia and Barbara Eaton are in the process of attending classes in order to become qualified to serve as Municipal Clerks. The Ordinance Establishing the Municipal Court allowed the Mayor to appoint the Municipal Clerks.
9. Ordinance Establishing Municipal Court Technology Fund: Mayor Lambert said the current law allows the court to collect \$4 in fees for the Technology Fund. This fund is to cover costs of items for use in the court including items such as computer systems, hardware and software, and recording devices. Alderman Rantzow made the motion to approve the Ordinance establishing the Municipal Court Technology Fund. Alderman Babcock seconded the motion. The motion passed by unanimous vote (4-0).
10. Ordinance Establishing Municipal Court Building Security Fund: Mayor Lambert stated the current law also allows the court to collect a \$3 fee to cover the cost of items to provide security for the court such as metal detectors and bailiffs. etc. to provide security for the court. Alderman Babcock made the motion to approve the Ordinance establishing the Municipal Court Building Security Fund. Alderman Rantzow seconded the motion. The motion passed by unanimous vote (4-0).
11. Items to be Removed from Consent Agenda:
 12. b. iii. Platting of a .064 acre tract out of the Levi Mercer Survey No. 2, to be known as Horseshoe Bay West Plat No. W14.4, Llano County, Texas: The owner of this property has withdrawn this request. Alderman Robinson made the motion to deny the plat. Alderwoman Wines seconded the motion. The motion passed by unanimous vote (4-0).
 - 12.d. Compensation Policy including Exhibits A and B: Alderman Rantzow made the motion to remove Section 5 in its entirety from the Compensation Policy. Alderman Robinson seconded the motion. The motion passed to approve the Compensation Policy after removing Section 5 by unanimous vote (4-0).
12. Consent Agenda Items: Alderman Babcock made the motion to approve the remaining Consent Agenda items.

- a. Minutes of November 28, 2006 Public Ceremony and Public Meeting

- b. Final Plat Approval:
 - i. Replat of Lot Nos. 41113 and 41114 Horseshoe Bay Plat No. 41.8, to be known as Horseshoe Bay Plat No. 41.13, Burnet County, Texas
 - ii. Replat of Lot Nos. W18029 and W18030, Horseshoe Bay West Plat No. W18.1, to be known as Horseshoe Bay West Plat No. W18.4, Llano County, Texas
 - iv. Platting of a 0.31 Acre tract known as Tract “M” and a 0.41 acre tract known as Tract “W” to be known as Horseshoe Bay Plat No. 37.17, Burnet County, Texas
 - v. Replat of a portion of Golf Course Tract Three, Escondido Plat No. 1.1 Greenbelt 1 and 2 and a portion of La Serena Loop, Escondido Plat No. 3.1, to be known as Escondido Plat No. 3.2, Llano County, Texas
 - vi. Replat of a portion of Golf Course Tract Two, Escondido Plat No. 1.1 , to be known as Escondido Plat No. 1.9, Llano County, Texas
 - vii. Replat of a portion of Golf Course Tract Two and Tract Three, Escondido Plat No. 1.1 to be known as Escondido Plat No. 1.8, Llano County, Texas
- c. Ordinance Establishing a Records Management Program
- e. Resolution Providing for the Sale of Property Acquired by the Burnet Central Appraisal District at Delinquent Tax Sale

The motion was seconded by Alderwoman Wines. The motion passed by unanimous vote (4-0).

- 13. General Manager’s Report: The General Manger’s Report is attached and hereby made a part of these minutes.
- 16. Bond Counsel for Escondido Defined Area Bond Matters: Mayor Lambert stated the firm of Winstead, Sechrest, & Minick P.C. would be engaged for specific matters related to the Escondido Defined Area Bonds and the possibility that the City might issue these bonds. If these bonds are issued, then this firm will assist with that procedure and the City will receive reimbursement from Escondido for expenses incurred. Alderman Rantzow made the motion to approve engagement of Winstead, Sechrest & Minick P.C. by the City of Horseshoe Bay. Alderman Robinson seconded the motion. The motion passed by unanimous vote (4-0).
- 14. Public Hearing Regarding the Proposed Extension of the Moratorium on New Construction in Zone 13, CapRock Zone, and Zone 14, HSB Boulevard Corridor Zone: Mayor Lambert convened the Public Hearing at 3:55 p.m. He asked if there were any public comments. There were none and he recessed the Public Hearing at 3:56 p.m.
- 15. Reading and Consideration of Adoption of an Extension of the Moratorium on New Construction in Zone 13, CapRock Zone, and Zone 14, HSB Boulevard Corridor Zone: Mayor Lambert advised the Council there is a copy of the notice of public hearing that was published as required by law in their packet along with the Ordinance. He said the Council should pay special attention to the Findings of Fact. Alderman Rantzow made the motion to adopt the Ordinance extending the Temporary Moratorium on New Construction in Zone 13, CapRock Zone, and Zone 14, HSB Boulevard Corridor Zone. Alderwoman Wines seconded the motion. The motion passed by unanimous vote (4-0).

17. Skywater Development Update: Mr. Sam Martin advised the Council they anticipate site work for utilities at the temporary sales center to begin in December after they submit a full set of plans to the City for a Building Permit. He said although this is a temporary sales center, it is not a temporary building. Once it is no longer needed as a sales center the approximately 2,000 square foot building will be converted for use by residents of Skywater.
18. Accept Petition for the Formation of a Public Improvement District for Skywater: Mayor Lambert stated this was added to the agenda in the event the developers were prepared to submit the petition to the Council; however, they are not prepared to do so yet. Mr. Sam Martin said they anticipate having the petition ready in time to post the notice by January 18, 2007. There was no action taken on this item.
19. January Meeting Schedule: Mayor Lambert said there is a meeting scheduled for January 23, 2007. He would also like to schedule one for January 9, 2007 in order to receive a proposal from the Horseshoe Bay POA regarding their roads and in case there is action that needs to be taken on the Skywater Development. Alderman Robinson made the motion to add the January 9, 2007 meeting to the schedule. Alderwoman Wines seconded the motion. The motion passed by unanimous vote (4-0).
20. Subdivision Ordinance: Mayor Lambert stated the Council needs significantly more input from developers prior to the January 9, 2007 meeting. No action was taken on this item.
21. Ordinance Establishing Fire Zones: Alderman Rantzow made the motion to adopt the ordinance establishing fire zones. Alderman Robinson seconded the motion. The motion passed by unanimous vote (4-0).
22. Ordinance Establishing False Alarm Policy: Alderman Robinson made the motion to adopt the ordinance establishing a false alarm policy. Alderman Rantzow seconded the motion. The motion passed by unanimous vote (4-0).
23. Discussion of Council Perquisites: Alderwoman Wines stated she would like to see a policy put in place where the General Manager would sign a statement at the beginning of each year stating whether or not Council members received any perquisites during the past year. Alderman Robinson suggested a new policy needs to be adopted for Council reimbursements for expenses since the portion (Section 5) of the Compensation Policy that addressed this was removed prior to adopting the Compensation Policy. Alderwoman Wines made a motion to adopt a policy that, in January of each year, the City Administrator or the person in the highest level non-elected full time position with the City shall provide a written statement to the City Council in a regular City Council meeting stating that neither the Mayor nor any member of the City has received any "perks" from the City during the prior year and that the definition of "perk" is defined as any benefit or payment that is not available to the general public in the City and that would be taxable income for Federal Income Tax purposes. Alderman Rantzow seconded the motion. After some discussion, this item was tabled until a future meeting and no further action was taken.

24. Adjournment: Alderman Babcock made the motion to adjourn the meeting at 4:45 p.m.
Alderman Robinson seconded the motion. The motion passed unanimously (4-0).

APPROVED this 23rd day of January, 2007.

Robert W. Lambert, Mayor

ATTEST:

Toni Vanderburg, City Secretary